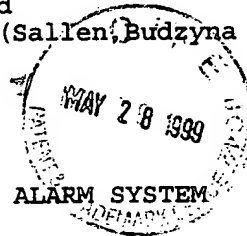


The dating stamp of the Patent & Trademark Office
hereon will be taken as the date of filing of:
Completion of Filing Requirements-Reissue Appln
Copy of Notice of Missing Parts
Copy of Reissue Supplement to Notice of Missing Parts
\$713.00 Filing Fee Enclosed
Declarations of Inventors (Sallen, Budzyna & Sawabini)
Assent of Assignee
Small Entity Statement

Ser. No. 09/224,231
Sallen, et al

DISTANCE DETERMINATION AND ALARM SYSTEM

RJB/peb
Mailed 5/24/99



TC 2700 MAIL ROOM

MAR -3 2000

RECEIVED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Application Number:

Application to Paper Number:

RICHARD T. BIRCH
3 RIVER SLEN ROAD
MELLENBY MA 02460

0242/01/99

NOT ASSISTED

1734

02/03/99

REISSUE SUPPLEMENT TO NOTICE TO FILE MISSING PARTS OF APPLICATION

This Reissue Supplement is an attachment to:

- ☒ "Notice to File Missing Parts of Application" Filing Date Granted (PTO-1533)
- ☐ "Notice to File Missing Parts of Application" No Filing Date Granted (PTO-1532)

The item(s) indicated below as missing must be filed within the period for reply to the attached Notice to File Missing Parts of Application to avoid abandonment.

The following items are required to complete the reissue application:

- ☒ Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees.
- ☐ Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).


Customer Service Center
Initial Patent Examination Division (703) 308-1202

#3



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/224/231 12/30/98 SALLEN

R

0242/0203

NOT ASSIGNED

RICHARD J BIRCH
8 RIVER GLEN ROAD
WELLESLEY MA 02481

2735

DATE MAILED: 02/03/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1046.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 156, including any multiple dependent claim fees, are required.
- \$ 156 for 2 independent claims over 3.
- \$ _____ for _____ dependent claims over 20.
- \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

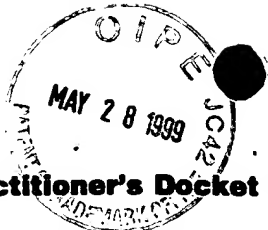
A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FEB 11 1999

#3



Sector

Practitioner's Docket No. _____

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Roy P. Sallen, et al

reissue Application No.: 09/224231 Group No.:

Filed: 12/30/98

Examiner:

For: DISTANCE DETERMINATION AND ALARM SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231**COMPLETION OF FILING REQUIREMENTS — REISSUE APPLICATION**

(check and complete this item, if applicable)

I.

- ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533), which was mailed on 2/3/99.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.

- ☒ A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(when using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
37 C.F.R. § 1.8(a)
- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee" Mailing Label No. _____ (mandatory) 37 C.F.R. § 1.10*

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Paula E. Butler
Signature

Date: 5/24/99

Paula E Butler

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Completion of Filing Requirements — Reissue Application [17-10]—page 1 of 5)

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II.**DECLARATION OR OATH**

- ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: See 37 C.F.R. § 1.41.

NOTE: For surcharge fee for filing declaration after filing date complete item V(5) below.

NOTE: Acceptable minimums in the declaration for identification of the specification to which it applies are the name of the inventor and (1) application number, (2) attorney docket number that was on the application as filed and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration. If identification (4) is used, it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of Sept. 12, 1983 (1035 O.G. 3).

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, which are useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday, or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).

(check and complete (a) or (b), if applicable)

Attached is a:

- (a) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (b) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

III.**AMENDMENT CANCELING CLAIMS**

- ☐ Cancel claims _____ inclusive.

IV.**SMALL ENTITY STATUS**

WARNING: "Small entity status must not be established when the person or persons signing the . . . statement can *unequivocally* make the required self-certification." M.P.E.P. § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).

NOTE: See 37 C.F.R. § 1.28.

- ☒ A statement that this filing is by a small entity

(check and complete applicable items)

- ☒ is attached.

☐ A separate refund request accompanies this paper.

☐ was filed on _____ (original).

V.

COMPLETION FEES

WARNING: See 37 C.F.R. § 1.53.

NOTE: See 37 C.F.R. § 1.28.

1. Filing Fee \$ 380.00
 - ☒ original reissue patent application
(37 C.F.R. § 1.16(h)—\$760.00; small entity—\$380.00)
 2. Fees for claims \$ 78.00
 - ☒ Each independent claim in excess of number of independent claims in original patent
(37 C.F.R. § 1.16(i)—\$78.00; small entity—\$39.00)
 3. \$ _____
 - ☐ Each claim in excess of number of independent claims in original patent:
(37 C.F.R. § 1.16(j)—\$18.00; small entity—\$9.00)
 4. ☐ Multiple dependent claim(s) \$ _____
(37 C.F.R. § 1.16(d)—\$260.00; small entity—\$130.00)
 5. ☒ Surcharge fees \$ 65.00
 - ☒ Late payment of filing fee and/or
 - ☒ Late filing of original declaration or oath
(37 C.F.R. § 1.16(e)—\$130.00; small entity—\$65.00)
- NOTE:** If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. § 1.16(e).
6. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor \$ _____
(37 C.F.R. § 1.17(i) and 1.47—\$130.00)
 7. Additional papers
 - ☐ Offer to surrender patent
 - ☐ Inventor(s)
 - ☐ Assignee
 - ☐ Return of original patent
 - ☐ Affidavit that patent lost or inaccessible
 - ☐ Petition to proceed without assignee's assent
(M.P.E.P., 6th ed., rev. 1, § 1410.01)
(37 C.F.R. § 1.17(h)—\$130.00) \$ _____
 8. ☐ Assignment (See "ASSIGNMENT COVER SHEET".) \$ 523.00
- Total completion fees**

VI.**EXTENSION OF TIME**

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)–(4), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 380.00	\$ 190.00
<input type="checkbox"/> three months	\$ 870.00	\$ 435.00
<input type="checkbox"/> four months	\$ 1,360.00	\$ 680.00

Fee: \$ 190.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

VII.**TOTAL FEE DUE**

The total fee due is:

Completion fee(s)	\$ 523.00
Petition fee (1.17)	\$ _____
Extension fee (if any)	\$ 190.00
Total Fee Due	\$ 713.00

VIII.**PAYMENT OF FEES**

- ☒ Enclosed is a check in the amount of \$ 713.00
- ☐ Charge Account No. _____ in the amount of \$ _____

A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

IX. AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☐ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No.

☐ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☐ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims canceled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 C.F.R. § 1.17 (application processing fees)

☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee". From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.


SIGNATURE OF PRACTITIONER

Richard J. Birch

(type or print name of practitioner)

Date: 5/24/99

Reg. No.: 20,895

8 River Glen Road

P.O. Address

Customer No.: 22495

Wellesley, MA 02481